



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2006 REGULAR SESSION

HOUSE BILL NO. 267

WEDNESDAY, FEBRUARY 1, 2006

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE March 24, 2006
9:21 Am

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adler

AN ACT relating to agriculture.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1 Section 1. KRS 260.010 is amended to read as follows:

2 As used in this chapter, unless the context requires otherwise:

3 (1)~~["Closed package" means a package the contents of which cannot be seen or~~
4 ~~inspected when the package is closed.~~

5 (2)~~]~~ "Commissioner" means the Commissioner of Agriculture.

6 (2)~~[(3)]~~ "Experiment station" means the agricultural experiment station.

7 (3)~~[(4)]~~ "Grower" means a bona fide producer of strawberries, either by himself,
8 ~~tenant, sharecropper or hired person.~~

9 (5)~~]~~ "Hay" means grass, alfalfa, clover, or other forage crop cut and dried as fodder.

10 (4)~~[(6)]~~ "Not hand picked" includes windfalls, drops and apples shaken or knocked
11 ~~from the tree.~~

12 (7)~~]~~ "Producer" means a person who cultivates or harvests hay or other agricultural
13 ~~products for sale.~~

14 Section 2. KRS 260.990 is amended to read as follows:

15 (1)~~["Any person who knowingly violates any of the provisions of KRS 260.040 to~~
16 ~~260.120 shall, for the first offense, be fined not less than ten dollars (\$10), nor more~~
17 ~~than twenty five dollars (\$25), for the second offense, he shall be fined not less than~~
18 ~~twenty five dollars (\$25), nor more than fifty dollars (\$50), and for the third and~~
19 ~~each subsequent offense, he shall be fined not less than fifty dollars (\$50), nor more~~
20 ~~than two hundred dollars (\$200). Whenever a violation is with respect to a lot or~~
21 ~~shipment consisting of fifty (50) or more closed packages, there may be imposed in~~
22 ~~addition to the above penalties twenty five cents (\$0.25) for the first offense, fifty~~
23 ~~cents (\$0.50) for the second offense and one dollar (\$1) for each subsequent offense~~
24 ~~for each package in excess of fifty (50) with respect to which the violation is~~
25 ~~committed.~~

1 ~~(2)~~ Any person who violates a stop order in violation of KRS 260.550(2) shall be fined
 2 one hundred dollars (\$100) for the first offense, be fined two hundred fifty dollars
 3 (\$250) for the second offense, and have his or her license revoked or suspended or,
 4 if the person has no license, be fined one thousand dollars (\$1,000) for each
 5 subsequent offense.

6 ~~(2)~~~~(3)~~ Any person who violates a withdraw from sale order in violation of KRS
 7 260.550(3) shall be guilty of a Class B misdemeanor.

8 Section 3. The following KRS sections are repealed:

9 260.040 Commissioner to enforce law -- Apples exempt.

10 260.050 Packages of apples to be marked.

11 260.060 Sale or distribution of improperly marked, adulterated or misbranded apples
 12 prohibited.

13 260.070 Standard barrel for apples -- Dimensions.

14 260.080 Standard grades for apples.

15 260.090 Minimum size of apples -- Tolerances.

16 260.100 When apple packages deemed misbranded.

17 260.110 When apple packages deemed adulterated.

18 260.120 Guaranty relieves recipient from liability -- Guarantor liable.

19 260.130 Growers exempt.

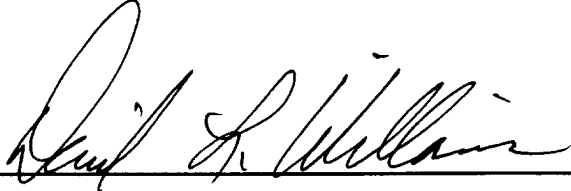
20 260.140 Packages of strawberries to be marked.

21 260.150 Standard grades for strawberries.

22 260.160 Commissioner to enforce KRS 260.130 to 260.160 -- Functions.



Speaker-House of Representatives



President of the Senate

Attest: 

Chief Clerk of House of Representatives

Approved 

Governor

Date 